

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

MIKE D SHOFFIETT SR

CIVIL ACTION NO. 6:18-CV-01545

VERSUS

JUDGE JUNEAU

JIM GOODE SR ET AL

MAGISTRATE JUDGE WHITEHURST

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendations are correct under the applicable law;

IT IS ORDERED that the (1) Motion to Dismiss For Failure To State A Claim pursuant to Rule 12(b)(5) and Rule 12(b)(6) filed by defendant, Mary Goode, [Rec. Doc. 23]; (2) Motion to Dismiss For Improper Venue And For Failure To State A Claim pursuant to Rule 12(b)(3) and Rule 12(b)(6), filed by defendant Fiberlene L.L.C. [Rec. Doc. 24]; and, (3) Motion To Dismiss pursuant to Rule 12(b)(1), Rule 12(b)(2) and Rule 12(b)(6), filed by defendant Betty Goode, Individually and as Executrix of the Estate of Dale Goode, [Rec. Doc. 33] are **GRANTED IN PART** and Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the Motion To Strike [Rec. Doc. 38] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that Plaintiff's Motion[s] To Request the Court Rule On Jurisdiction Of Case [Rec. Docs. 50 and 53] are **DENIED AS MOOT**.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 3rd day of December, 2019.



MICHAEL J. JUNEAU
UNITED STATES DISTRICT JUDGE